

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

VeroBlue Farms USA, Inc.,	§	
	§	
Plaintiff,	§	No. 3:19-cv-00764-L
	§	
v.	§	
	§	
Leslie A. Wulf, Bruce A. Hall,	§	
James Rea, John E. Rea, and	§	
Keith Driver,	§	
	§	
Defendants.	§	

NON-PARTIES SNB FARM PARTNERSHIP, GRACE NELSON, JEFF NELSON, JERITA NELSON, KORINNE NELSON, AND MARK NELSON'S MOTION TO SEVER AND TRANSFER THEIR MOTION TO QUASH SUBPOENAS TO THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF IOWA

Non-Parties SNB Farm Partnership, Grace Nelson, Jeff Nelson, Jerita Nelson, Korinne Nelson, and Mark Nelson (collectively "SNB Non-Parties") jointly move the Court to sever and transfer SNB Non-Parties' Motion to Quash the subpoenas issued by Plaintiff VeroBlue Farms USA, Inc. ("VBF"). In support of this motion, the SNB Non-Parties state as follows:

1. The SNB Non-Parties are residents and citizens of the State of Iowa, residing in the judicial district for the United States District Court for the Northern District of Iowa.

2. On March 1, 2019, the SNB Non-Parties timely filed a Motion to Quash Subpoenas, which required compliance in the United States District Court for the Southern District of Iowa. [See Dkt. No. 41.]

3. While the Motion to Quash was pending, the entire case was transferred to this Court, which is not the “place of compliance” and lacks personal jurisdiction over the SNB Non-Parties.

4. On April 16, 2019, the SNB Non-Parties initiated an original action in the United States District Court for the Southern District of Iowa, incorporating their timely Motion to Quash.

5. Since the Motion to Quash is pending in the court of compliance (S.D. Iowa), the SNB Non-Parties request that this Court sever the Motion to Quash that was transferred in this action [Dkt. No. 41] and transfer all proceedings related to the subpoenas directed to the SNB Non-Parties to the United States District Court for the Southern District of Iowa.

9. Pursuant to Local Rule 7.1, a brief and an appendix are submitted in support of this motion.

10. Pursuant to Local Rule 7.1(b), on April 16, 2019, counsel for SNB Non-Parties, David Caves, and counsel for VBF, Robert Lang, exchanged emails in an attempt to set up a meet and confer prior to the filing of this motion. Mr. Caves and Mr. Lang were not able to meet and confer prior to the filing of this motion.

11. By filing this motion, the SNB Non-Parties do not consent to personal jurisdiction in this Court. The SNB Non-Parties preserve all objections with respect to the subpoenas at issue.

WHEREFORE, the SNB Non-Parties move the Court to sever and transfer their Motion to Quash [Dkt. No. 41] to the United States District Court for the Southern District of Iowa, and for any further relief the Court deems just.

Dated: April 17, 2018

/s/ Karl M. Sigwarth

DAVID M. CAVES (*Pro Hac Vice* Application forthcoming)

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NELSON, AND KORINNE NELSON*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on April 17, 2019, a true and correct copy of the foregoing document was served electronically on all persons who receive electronic notice through the Court's CM/ECF system.

/s/ Chanda Clark